

**AFFIDAVIT OF SERVICE  
SECRETARY OF STATE**

**State of New York**

~~Court, County of~~ **UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ARTHUR BELFIORE

**Plaintiff,**

**-against-**

979 THIRD AVENUE ASSOCIATES, LLC, et al

File# 35764530

Case# 08CV2365

**Defendant.**

**State of New York**

**County of New York**

**SS:**

STEVEN AVERY, being duly sworn deposes and says that I am over the age of eighteen years, not a party to this action, and reside in the State of New York.

That on the 20th day of May, 2008, at 8:20 A. M, 41 State Street, Albany, NY 12207,

Office of the Secretary of State of New York, I served the annexed 3RD PARTY SUMMONS IN A  
CIVIL ACTION & 3RD PARTY COMPLAINT

upon DAVID SUTHERLAND SHOWROOMS - NEW YORK LLC

Defendant in this action, by delivering to and leaving personally with CAROL VOGT

in the Office of the Secretary of State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of Forty Dollars.

That said service was pursuant to Section 303 LLC of the Business Corporation Law.

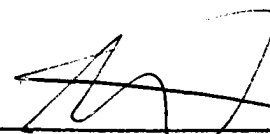
DEPONENT describes person served as aforesaid to the best of deponent's ability at the time and circumstances of service as follows:

sex:female color:white hair:black app. age: 40 app. ht: 5'3" app. wt: 135

Deponent further says that I knew the person so served as aforesaid to be the Designated Person in the Office of the Secretary of State of New York.

Sworn to before me

21st day of May, 2008



STEVEN AVERY

AMELIA FLORRAGA  
Commissioner of Deeds  
City of New York No. 1-108  
Certificate Filed in New York County  
Commission Expires Nov. 1, 2008